

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-2 and 5-7 are pending in the present application. Claims 1-2 and 5-7 are amended; Claims 3-4 are canceled without prejudice or disclaimer; and Claim 7 is newly added by the present amendment. Support for the new and amended claims can be found at least at Figs. 46-49 and pp. 249 – 268 of the originally filed disclosure. No new matter is presented.

In the Office Action, the specification is objected to because of minor informalities; Claims 1-6 are rejected under 35 U.S.C. § 101; and Claims 1-6 are rejected under 35 U.S.C. § 112, second paragraph.

As an initial matter, Applicant appreciatively acknowledges the courtesy extended by Primary Examiner Harrell in holding a personal interview with the undersigned on September 9, 2009. During the interview, an overview of the invention was presented and the objection to the specification and the outstanding rejections under 35 U.S.C. §§ 101 and 112, second paragraph, were discussed. No agreement was reached during the interview pending the submission of a formal response to the outstanding Office Action.

The Office Action objects to the title as not descriptive. In response, a new title is provided, which is clearly indicative of the invention to which the claims are directed. Accordingly, Applicants respectfully request that the objection to the title be withdrawn.

The Office Action also objects to the specification as being “replete with grammatical and idiomatic errors to [sic] numerous to mention specifically”. However, upon Applicant’s further review of the specification no clear grammatical or idiomatic errors were apparent. Should such an objection be maintained in a subsequent Office Action, Applicant respectfully

requests that the objection identify specific examples of such informalities in the specification.

Moreover, the Office Action indicates that the specification “is not confined to only the defined invention within the claims”. However, the disclosure in the specification is closely related to, and provides support for, the features recited in the pending claims. As noted in the Interview Summary, Primary Examiner Harrell agreed that no changes to the specification would be necessary since the disclosure serves to provide full support for the features recited in the pending claims. Nonetheless, the “Disclosure of the Invention” section of the specification is amended to remove the sections not related to pending independent Claims 1 and 5-7.

Accordingly, Applicants respectfully request that the objections to the specification be withdrawn.

The Office Action rejects Claims 1-6 under 35 U.S.C. § 101, as directed to non-statutory subject matter. In response, independent Claims 1, 5 and 6 are amended as discussed during the interview to incorporate the term “hardware” and “computer readable hardware storage medium”. More specifically, Claim 1 is amended to recite a “content processing hardware apparatus”; Claim 5 is amended to recite a “computer program embodied on a computer-readable hardware storage medium”; Claim 6 is amended to recite that the method is performed by “a content processing hardware apparatus”. New Claim 7 also recites a “content processing hardware apparatus”, and is therefore also believed to be directed to statutory subject matter.

Accordingly, Applicants respectfully request that the rejection of Claims 1-2 and 5-6 under 35 U.S.C. § 101 be withdrawn.

The Office Action rejects Claims 1-6 under 35 U.S.C. § 112, second paragraph, as indefinite.

In response, Claims 1-2 and 5-6 are amended to clarify the features recited in these claims. More specifically, the Office Action cites the preamble of Claim 1 as an example of a basis for this claim being indefinite. The preamble of Claim 1 is now amended to clarify that the content processing hardware apparatus is connected to a content reproduction apparatus and a management server. Moreover, the claims are amended throughout to more clearly recite the process of transferring content between the content processing apparatus and the content reproduction apparatus as disclosed in an exemplary embodiment at Figs. 46-49 and pp. 249 – 268 of the originally filed disclosure. New Claim 7 recites analogous features.

Accordingly, Applicant respectfully requests that the rejection of Claims 1-2 and 5-6 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Moreover, Applicant notes that new Claim 7 is presented for examination. Support for the features recited in new Claim 7 can be found at least at Figs. 46-49 and pp. 249 – 268 of the originally filed disclosure. Applicant notes that Claim 7 is directed to “a content processing hardware apparatus” that includes “a processor”, “a display” and “a user input”, and descriptions of these hardware components can be found at Figs. 4-5 and their corresponding descriptions in the originally filed disclosure.

Further, Applicant notes that no art rejection was applied against the pending claims. Nonetheless, Applicant respectfully submits that none of the cited references, neither alone, nor in combination, disclose a “content processing hardware apparatus” that includes “a user input configured to receive a selection of at least one of the contents stored in the content reproduction apparatus displayed on the display”, and “[a] processor configured to determine a first transfer mode or a second transfer mode of the content ..., retrieve the content ... and automatically delete the retrieved content ... when the detected transfer mode is the first transfer mode, and retrieve the content ... while maintaining a copy of the retrieved content ...

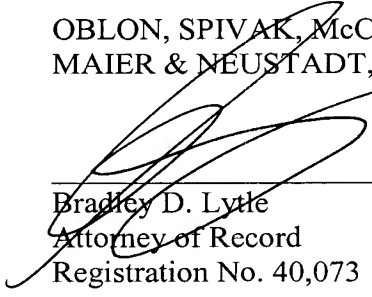
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when the detected transfer mode is the first transfer mode”, as recited in new independent  
Claim 7.

Consequently, in view of the present amendment and in light of the foregoing  
comments, it is respectfully submitted that the invention defined by Claims 1-2 and 4-7 is  
definite and patentably distinguishing over the applied references. The present application is  
therefore believed to be in condition for allowance and an early and favorable reconsideration  
of the application is therefore requested.

Respectfully submitted,

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